

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

OAK POINT INVESTMENTS, INC.,

Plaintiff,

Case No. 04-72330

v.

District Judge Nancy G. Edmunds  
Magistrate Judge R. Steven Whalen

MAY, DAVIS GROUP, INC., et al.,

Defendant.

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**ORDER**

Before the Court is Plaintiff's Motion to Compel Discovery, Extend Discovery Deadline and Adjourn Dates [Docket #20], which has been referred for hearing and determination pursuant to 28 U.S.C. §636(b)(1)(A). The Court has this day entered a separate, stipulated order which resolves all but two of the discovery requests. This Order disposes of the two remaining discovery issues, as well as the request to adjourn dates.

For the reasons stated on the record on June 9, 2005, Plaintiff's Motion is GRANTED IN PART AND DENIED IN PART, as follows:

1. As to Request to Admit #7, counsel for Defendant agreed at the hearing that the answer provided would be prefaced by the following language: "Admit. By way of explanation,...." This would be followed by the answer already provided. The Court finds this to be a sufficient answer to the Request to Admit, and to the extent that Plaintiff requests

an order compelling an additional answer, that request is DENIED.

2. As to Interrogatory #22, the Plaintiff's motion to compel is GRANTED.

3. The request to extend the current dates in the scheduling order, including discovery cut-off, is GRANTED, and all dates set forth in the Scheduling Order of January 4, 2005 [Docket #18] will be extended 120 days.

SO ORDERED.

s/R. Steven Whalen  
R. STEVEN WHALEN  
UNITED STATES MAGISTRATE JUDGE

Dated: June 9, 2005

#### CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on June 9, 2005.

s/Gina Wilson  
Judicial Assistant